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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To direct the Secretary of Defense to establish a working group to develop and coordinate an artificial intelligence initiative among the Five Eyes countries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GALLAGHER introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Secretary of Defense to establish a working group to develop and coordinate an artificial intelligence initiative among the Five Eyes countries, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ESTABLISHMENT OF WORKING GROUP FOR AR-**
4 **TIFICIAL INTELLIGENCE INITIATIVE AMONG**
5 **FIVE EYES COUNTRIES.**

6 (a) ESTABLISHMENT.—Not later than 90 days after
7 the date of the enactment of this Act, the Secretary of

1 Defense, in coordination with the Director of National In-
2 telligence, shall establish a working group to be known as
3 the “Five AIs Strategic Artificial Intelligence Working
4 Group” (in this section referred to as the “Working
5 Group”).

6 (b) PURPOSE.—The purpose of the Working Group
7 shall be to develop and coordinate an artificial intelligence
8 initiative among the Five Eyes countries.

9 (c) ORGANIZATION.—

10 (1) DESIGNATION OF HEAD.—The Secretary of
11 Defense, in coordination with the Director of Na-
12 tional Intelligence, shall designate a senior civilian
13 officer of the Department of Defense or senior mili-
14 tary officer with experience leading relevant efforts,
15 as determined by the Secretary, to serve as the head
16 of the Working Group.

17 (2) PARTICIPATION BY OTHER MEMBER COUN-
18 TRIES.—The Secretary of Defense, in coordination
19 with the Director of National Intelligence, shall en-
20 courage participation in the Working Group by the
21 members of the Five Eyes Intelligence Oversight and
22 Review Council.

23 (d) RESPONSIBILITIES.—The responsibilities of the
24 Working Group shall be to develop and coordinate efforts
25 to implement an artificial intelligence initiative between

1 the Department of Defense, the Office of the Intelligence
2 Community Inspector General of the United States, and
3 the other members of the Five Eyes Intelligence Oversight
4 and Review Council to—

5 (1) compare—

6 (A) the various artificial intelligence sys-
7 tems and the elements thereof (including ma-
8 chine learning and generative artificial intel-
9 ligence such as large language models) used for
10 covered operational uses by such members; and

11 (B) the respective practices associated with
12 the employment of such systems for covered
13 operational uses by such members;

14 (2) identify (including by experimenting, test-
15 ing, and evaluating) potential solutions to advance
16 and accelerate the interoperability of artificial intel-
17 ligence systems used for intelligence sharing,
18 battlespace awareness, and other covered operational
19 uses;

20 (3) test and evaluate the effects of artificial in-
21 telligence model redundancy, including the risks and
22 safety measures associated with operating multiple
23 artificial intelligence systems, including in tandem
24 with one another;

- 1 (4) develop a shared strategy for the research,
2 development, test, evaluation, and employment of ar-
3 tificial intelligence systems for covered operational
4 uses carried out jointly by the Five Eyes countries;
- 5 (5) develop a shared strategy for—
- 6 (A) managing data-informed artificial in-
7 telligence systems; and
- 8 (B) testing and evaluating artificial intel-
9 ligence systems with combined data sets at the
10 unclassified and classified levels;
- 11 (6) test and evaluate the capabilities of the de-
12 fense industrial base of the Five Eyes countries to
13 incorporate artificial intelligence systems into sys-
14 tems used for covered operational uses;
- 15 (7) compare and use ethical frameworks to ac-
16 celerate technological advancements with respect to
17 artificial intelligence systems;
- 18 (8) expand innovation efforts by the Five Eyes
19 countries and share among such countries best prac-
20 tices for the accelerated procurement and adoption
21 of artificial intelligence technologies for covered
22 operational uses;
- 23 (9) leverage commercially-available artificial in-
24 telligence technologies to advance near-term

1 jointness between the armed forces and intelligence
2 components of the Five Eyes countries;

3 (10) jointly identify and source artificial intel-
4 ligence systems, as practicable, and advise Five Eyes
5 countries with respect to export controls applicable
6 to such systems;

7 (11) share, to the extent practicable and as
8 agreed upon by the Working Group, the results, op-
9 portunities, and frameworks assessed or otherwise
10 identified by the Working Group for the informed
11 use of artificial intelligence with allies and partners
12 of the United States other than Five Eyes countries;
13 and

14 (12) carry out such other activities as the Sec-
15 retary of Defense, in consultation with the Director
16 of National Intelligence and any members of the
17 Five Eyes Intelligence Oversight and Review Council
18 participating in the Working Group, determines to
19 be relevant to such responsibilities.

20 (e) CONTROL OF KNOWLEDGE AND TECHNICAL
21 DATA.—The Secretary of Defense shall seek to ensure
22 that any knowledge or technical data produced by a Five
23 Eyes country under any cooperative project carried out by
24 the Working Group shall be controlled by that country
25 under the export control laws and regulations of that

1 country and shall not be subject to the jurisdiction or con-
2 trol of any other Five Eyes country.

3 (f) PLAN AND REPORTS.—

4 (1) PLAN.—

5 (A) SUBMISSION.—Not later than 60 days
6 after the date of the enactment of this Act, the
7 Secretary of Defense, in coordination with the
8 Director of National Intelligence, shall submit
9 to the appropriate congressional committees a
10 plan for the establishment and activities of the
11 Working Group.

12 (B) ELEMENTS.—The plan under subpara-
13 graph (A) shall include—

14 (i) a plan for the establishment of the
15 Working Group, including for efforts to en-
16 gage with the members of the Five Eyes
17 Intelligence Oversight and Review Council
18 with respect to such establishment;

19 (ii) a description of any funding re-
20 quirements or administrative support nec-
21 essary to carry out this section;

22 (iii) a description of any additional
23 statutory authorities necessary to carry out
24 this section;

1 (iv) a plan for the fulfilment of re-
2 sponsibilities under subsection (c) by the
3 Working Group;

4 (v) an evaluation of existing joint ef-
5 forts by the Five Eyes countries to fulfill
6 similar responsibilities;

7 (vi) a plan for the integration of the
8 artificial intelligence initiative developed
9 and coordinated by the Working Group
10 with other programs and initiatives of the
11 elements of the Department of Defense or
12 the Office of Director of National Intel-
13 ligence with responsibilities relating to mu-
14 tual security and artificial intelligence ef-
15 forts among the Five Eyes countries;

16 (vii) performance indicators by which
17 the activities of the Working Group will be
18 assessed; and

19 (viii) a description of how efforts of
20 the commanders of the combatant com-
21 mands relating to military interoperability
22 and test and evaluation of artificial intel-
23 ligence systems will be tasked and executed
24 by and through the Working Group.

1 (2) BIENNIAL REPORT.—Not later than 180
2 days after the date of the enactment of this Act, and
3 on a biennial basis thereafter until the date of ter-
4 mination under subsection (f), the Secretary of De-
5 fense shall submit to the appropriate congressional
6 committees a report on the activities and milestones
7 of the Working Group. Each such report shall in-
8 clude, with respect to the period covered by the re-
9 port—

10 (A) an assessment of the activities of the
11 Working Group based on the performance indi-
12 cators set forth in the plan under paragraph
13 (1)(B)(vii); and

14 (B) a description of any efforts of the com-
15 manders of the combatant commands taken in
16 support of the responsibilities of the Working
17 Group.

18 (g) TERMINATION.—

19 (1) IN GENERAL.—Except as provided in para-
20 graph (2), the Working Group shall terminate on
21 September 30, 2028.

22 (2) AUTHORITY TO EXTEND.—The Secretary of
23 Defense may extend the termination date under
24 paragraph (1) if the Secretary determines such ex-

1 tension to be in the national security interests of the
2 United States.

3 (h) DEFINITIONS.—In this section:

4 (1) The term “appropriate congressional com-
5 mittees” means—

6 (A) the congressional defense committees,
7 as such term is defined in section 101 of title
8 10, United States Code; and

9 (B) the congressional intelligence commit-
10 tees, as such term is defined in section 3 of the
11 National Security Act of 1947 (50 U.S.C.
12 3003).

13 (2) The term “battlespace awareness” has the
14 meaning given that term in the Joint Publication 1-
15 02 of the Department of Defense, titled “Depart-
16 ment of Defense Dictionary of Military and Associ-
17 ated Terms”, or successor publication.

18 (3) The term “covered operational use” means
19 use by a government for operations in a defense or
20 intelligence context.

21 (4) The term “Five Eyes countries” means the
22 following:

23 (A) Australia.

24 (B) Canada.

25 (C) New Zealand.

1 (D) The United Kingdom.

2 (E) The United States.

3 (5) The term “Five Eyes Intelligence Oversight
4 and Review Council” means the council established
5 pursuant to the agreement entered into between the
6 Inspector General of the Intelligence Community of
7 the United States and the relevant foreign counter-
8 parts of the governments of the Five Eyes countries,
9 titled “Charter of the Five Eyes Intelligence Over-
10 sight and Review Council”, done on October 2,
11 2017.